

HOME INSPECTION ADVISORY COMMITTEE

Minutes of October 14, 2003
Public Session

CALL TO ORDER

The meeting of the Home Inspection Advisory Committee was called to order by Chairman Michael Fitzpatrick at 9:50 a.m. in the Union Conference Room, third floor, 124 Halsey Street, Newark, New Jersey. All parties were duly notified of the time, date and place and all pertinent material had been provided.

SUNSHINE LAW ANNOUNCEMENT

Joseph Grabowy, read the statement required by Chapter 231, Laws of 1975, known as the Open Public Meetings Act, and announced that notice of the meeting was prepared in the office of the Committee and mailed to the Secretary of State, the Star Ledger, the Courier Post, the Bergen Record and the Atlantic City Press.

ROLL CALL

CMs present: Michael Fitzpatrick
Thomas Kraeutler

CMs absent: Randy Ortiz
Robert Corrado

Others present: Arthur Russo, Executive Director, Olga E. Bradford, Deputy Attorney General, and staff members Joseph Grabowy, Ernest Gonzalez, Lyann Hope, Robert Welsh, and two members of the public.

SUB-COMMITTEE

This Meeting was conducted as a Sub-Committee of the full Committee for lack of a quorum. The following are the recommendations made by the Sub-Committee.

TIME CHANGE FOR MEETINGS

The Sub-Committee discussed the option of changing the starting time henceforth from 9:00 a.m. to 9:30 a.m.

On a motion by CM Kraeutler, second by Chairman Fitzpatrick, the Sub-Committee will recommend that the meeting starting times will be changed from 9:00 a.m. to 9:30 a.m.

The Committee staff will implement this procedure at the Committee's next meeting on November 11, 2003, and it will notify the major newspapers and the Secretary of State of this change.

APPEARANCE

William Gustafson, Brinks Security

This appearance was postponed by Mr. Gustafson.

APPROVAL OF MINUTES

April 8, 2003

On a motion by CM Kraeutler, second by Chairman Fitzpatrick, the Sub-Committee unanimously voted to approve the minutes of April 8, 2002 as amended.

May 13, 2003

On a motion by CM Kraeutler, second by Chairman Fitzpatrick, the Sub-Committee unanimously voted to approve the minutes of May 13, 2003 as amended.

May 29, 2003

On a motion by CM Kraeutler, second by Chairman Fitzpatrick, the Sub-Committee unanimously voted to approve the minutes of May 29, 2003 as amended.

July 8, 2003

On a motion by CM Kraeutler, second by Chairman Fitzpatrick, the Sub-Committee unanimously voted to approve the minutes of July 8, 2003 as amended.

REPORT OF THE EXECUTIVE DIRECTOR

ED Russo presented the Sub-Committee with the following statistical information:

Licensed Home Inspectors: 229
Professional Engineers licensed as Home Inspectors: 29
Total Pending Applications: 143
Approved applications awaiting payment of licensing fees: 20

The Sub-Committee briefly discussed the need for Associate Home Inspector applicants to produce valid Certificates of Insurance at the time of application to expedite the processing of applications. This matter will be further discussed at subsequent meetings.

The Sub-Committee discussed the issue that may arise after the June 30, 2004 filing deadline with regard to existing incomplete applications for licensure. DAG Bradford will research the issue of processing applications after the June 30, 2004 licensure deadline date and report back to the Committee.

ED Russo informed the Sub-Committee that on September 22, 2003, the Division's news article on home inspector licensure has been released to the news media for publication.

The Committee was informed that the annual ASHI Conference is scheduled to be held during the week of January 2004 in New Mexico. The Sub-Committee will recommend that CM Kraeutler attend this conference representing the Committee. The staff will prepare the proper travel plans. Chairman Fitzpatrick will submit to the Division a request explaining the need for two representatives to be present at this conference.

ED Russo informed the Sub-Committee that complaints have been received stating that the respondent home inspectors make claims to be licensed in other fields such as radon inspections, septic inspections, etc. The Sub-Committee concluded that it will check the accuracy of these claims by requesting copies of state certifications in these fields.

Incoming Correspondence

Larry Lyngstad/ South Dakota Department of Revenue & Regulation

**RE: Home Inspector Regulations
(September 17, 2003)**

An invitation to all home inspector regulators to the first annual regulatory roundtable in Portland, Oregon on October 25 & 26, 2003, was extended by Mr. Lyngstad.

The Sub-Committee noted this correspondence for the record.

**Chris Ueland, Chairman/ ASHI Code of Ethics
RE: Proposed ASHI Code of Ethics for the Home Inspection Profession
(September 30, 2003)**

Mr. Ueland informed all member Boards that, due to recent changes in the home inspection industry, the ASHI Code of Ethics requires revisions. A copy of the proposed code of ethics was submitted for the Committee's review and comments.

The Sub-Committee noted this correspondence for the record.

DISCUSSION ITEMS

Draft Consumer Brochure

The Sub-Committee reviewed the draft Consumer Brochure and made some minor modifications. It requested that this updated draft be forwarded to Anthony Miragliotta, Deputy Director of the Division of Consumer Affairs, for approval.

REVIEW AND APPROVAL OF GRANDFATHERING APPLICATIONS

The Sub-Committee, on a motion by CM Kraeutler, second by Chairman Fitzpatrick, unanimously voted to recommend for full Committee approval of the following applications for home inspector licensure:

Brian Mauri #952349
Dennis Deschu #968294
Thomas Moore #941488
Michael Burla #950872
Christopher Stankus #930617
Joseph Nestico #912097

APPLICATIONS FOR FULL COMMITTEE REVIEW

Henry Sobczak (I/M/O David Stewart - Application #951291)

A court stenographer was present to record the proceedings.

Chairman Fitzpatrick recused himself from this matter.

Mr. Sobczak appeared before the Sub-Committee, without legal representation, to discuss his role relating to his supervision of Mr. Stewart's 50 home inspections.

After his appearance the Sub-Committee discussed his testimony and will recommend to the full Committee that the Committee staff contact numerous clients from the list provided by Mr. Stewart to determine who was present during the subject inspections.

ED Russo informed the Sub-Committee that based upon Mr. Stewart's appearance at its last meeting, he has

written to the Committee requesting that his application for an associate home inspector's license be retracted. He stated that he will be submitting an application for licensure via the grandfather provision.

The Committee will inform Mr. Stewart that the information requested at the last meeting during the time of his appearance is still needed and must be submitted to the Committee office. DAG Bradford will draft this letter requesting copies of the cover page of all of Mr. Stewart's inspection reports,.

MOVE TO EXECUTIVE SESSION

On a motion by Chairman Kraeutler, second by VC Fitzpatrick, the Sub-Committee unanimously voted to enter into Executive Session for the purpose of completing the Executive Session agenda.

RETURN TO PUBLIC SESSION

On a motion contained within the Executive session minutes, the Sub-Committee re-entered into Public Session for the purpose of adjournment.

ADJOURNMENT

On a motion by Chairman Fitzpatrick, second by CM Kraeutler, the Sub-Committee unanimously voted to adjourn at 1:30pm.

APPROVED BY:

Michael Fitzpatrick
Chairman

Arthur Russo
Executive Director